



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/710,418	07/09/2004	Sam Shiaw-Shiang Jiang	ASTP0042USA	4417
27765 7590 11/13/2008 NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION P.O. BOX 506 MERRIFIELD, VA 22116				
EXAMINER ANDREWS, LEON T				
ART UNIT		PAPER NUMBER		
2416				
NOTIFICATION DATE		DELIVERY MODE		
11/13/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

winstonhsu.uspto@gmail.com
Patent.admin.uspto.Rcv@naipo.com
mis.ap.uspto@naipo.com.tw

Response to Remarks/Arguments

In remarks after final filed on October 14, 2008,

Applicant contends on page 2 that the EPC timer and the EPC are different.

Examiner disagrees and contends that Johansson et al. discloses that the EPU timer controls the amount of time the EPU has to wait (column 5, lines 50-52) thus creating an interrelationship between the two, and thereby classifying the EPU as being a timer also.

On pages 3-4, applicant is in agreement that Johansson et al. discloses the steps of:

- A. sending a first status report to the sender in response to a first trigger.
- C. initiating a roundtrip timer.
- F. determining a second status report (new S-PDU).

But, for steps B. D. and E. applicant contends that Johansson et al. did not disclose after expiry of the roundtrip timer, receiving an AMD PDU before all the AMD PDUs identified in the first report received at the receiver.

Examiner contends that Johansson et al. discloses EPC counter which is started when the status report is transmitted to the peer (receiver) and (EPC) expires before all of the AM PDUs requested have been received at the receiving side, then the transmitting side transmits a new status report to the peer, column 6, lines 18-21.

Thus, claim 1 is not allowed and the reconsideration for allowance of claims 1-17 is denied.